



STATE OF DELAWARE

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Examining Board of Physical Therapists and Athletic Trainers

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PUBLIC MEETING MINUTES:	EXAMINING BOARD OF PHYSICAL THERAPISTS AND ATHLETIC TRAINERS
MEETING DATE AND TIME:	Tuesday, August 27, 2013 at 5:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon Building
MINUTES FOR APPROVAL:	September 24, 2013

MEMBERS PRESENT

Julie Knowles, Professional Member, Vice-Chairperson
Jeffrey Schneider, Professional Member, Secretary
Samuel Sullivan, Professional Member
Damien McGovern, Professional Member
Laura Schmitt, Professional Member
Waheedah Shabazz, Public Member
Tyler Luff, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Kelly, Deputy Attorney General
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

W. Wayne Woodzell, Professional Member, Chairperson
Amy Blansfield, Professional Member

ALSO PRESENT

Lorena Hartnett, Wilcox & Fetzer
James Barker
Daniel Luszczyk

CALL TO ORDER

Ms. Knowles called the meeting to order at 5:00 p.m.

REVIEW OF MINUTES

The Board reviewed the minutes of the July 23, 2013 meeting. Ms. Schmitt made a motion, seconded by Mr. Schneider, to approve the minutes. By unanimous vote, the motion carried.

OLD BUSINESS

Continued Discussion on Proposed Legislation

Ms. Knowles asked the Board to take a look at the proposed language that the DATA and the DPTA put together for the definition of Athletic Injury and Athletic Training. After review and discussion, Ms. Schmitt made a motion, seconded by Ms. Shabazz, to accept the language as part of the Board's proposed legislation language for review by the Joint Sunset Review Committee.

Future Discussion of Presentation by FSBPT

This agenda item was tabled.

Review of Neeraj Vithalani's PTA Application

The Board discussed the correspondence sent in by Mr. Vithalani in reference to his proposed to deny letter he received. Mr. Sullivan made a motion, seconded by Ms. Schmitt, to allow Mr. Vithalani 60 days to submit a new PTA credentialing evaluation before final denial of license. By unanimous vote, the motion carried.

Review of Komalben Patel's PTA Application

The Board discussed the correspondence sent in by Ms. Patel in reference to her proposed to deny letter she received. Mr. Sullivan made a motion, seconded by Ms. Schmitt, to allow Ms. Patel 60 days to submit a new PT credentialing evaluation before final denial of license. By unanimous vote, the motion carried.

Review of Ankita Shah's PT Application

The Board discussed the correspondence sent in by Ms. Shah in reference to her proposed to deny letter she received. Mr. Sullivan made a motion, seconded by Ms. Schmitt, to allow Ms. Shah 60 days to submit a new PT credentialing evaluation before final denial of license. By unanimous vote, the motion carried.

Re-review and Discussion: Daniel Luszczyk's Tabled Application

Ms. Kelly reviewed the additional documentation that the Board requested from Mr. Luszczyk. Ms. Kelly found that with the submission of the requested documentation Mr. Luszczyk meets the requirements to sit for the PTA exam. Ms. Schmitt made a motion, seconded by Mr. Sullivan, to approve the application for Mr. Luszczyk to sit the PTA exam. By unanimous vote, the motion carried.

NEW BUSINESS

Proposal to Deny Hearing Scheduled for James Barker – PT by Reciprocity (5:00 p.m.)

The hearing minutes will be at the end of the minutes.

Discussion of North Carolina State Board of Dental Examiners v. Federal Trade Commission

Ms. Kelly gave an overview of the Fourth Circuit decision, North Carolina State Board of Dental Examiners v. Federal Trade Commission. The Court in that case found that the Board members were not exempt from antitrust oversight as state actors. Due to the fact that board members were elected, and chosen by and accountable to their fellow market participants, they were private actors. Ms. Kelly advised that she will be attending a conference in October which will specifically address this decision, and she will further update the Board after the conference.

Ratify PT/PTA/AT Application by Examination

Mr. Schneider made a motion, seconded by Ms. Shabazz, to ratify licensure by examination and approve the following as noted below. By unanimous vote, the motion carried.

Pari Armat (PT)	Muhammad Alrwaily (PT)	Corey Fehr (PT)	Kimberly Coffman (PT)
Sarah Hickman (PT)	Jared Fisher (PT)	Samantha Kennedy (AT)	
Brittany Mayes (PT)	Ma Crizel Legaspi (PT)	Sumeet Patel (PT)	Honey Medina (PT)
Kevin McGuinness (PT)	Kiersten Reed (PT)	Elizabeth Pohlidal (PT)	

Angelique Perez (PT) Katelyn Sheehan (AT) Elizabeth Timlin (PT)
John Thomas (PT) Kaitlin Youngblood (PT) Aisha Zareen (PT) Lauren Zaryk (PT)
Courtney Mullen (PT) Sarah Neal (AT)

Ratify PT/PTA/AT Applications by Reciprocity

Ms. Knowles asked for a motion to amend the agenda to add 4.4.9 Sirinart Laibsirinon by reciprocity. Mr. Sullivan made a motion, seconded by Ms. Schmitt, to amend the agenda and to move to contingent approve application for Sirinart Laibsirinon, pending Ms. Wagner calling FCCPT in reference to a CLEP exam. By unanimous vote, the motion carried.

Mr. Schneider made a motion, seconded by Ms. Schmitt, to ratify licensure by reciprocity approve the following as noted below. By unanimous vote, the motion carried.

Amelia Arundale (PT) William Hemmerich (PT) James Fynes (AT)
Susanne Morton (PT) Sarah Reynolds (PTA) Michael Sabol (PT)
Jon Waxham (PT) Christina Kennedy (AT)

Review of Application by Reciprocity

Ms. Schmitt made a motion, seconded by Ms. Shabazz, to approve licensure by reciprocity the following as noted below. By unanimous vote, the motion carried.

Laurel Bedell-Roberts (PT) Karen Bonsack (PT) Theresa Lee (PTA)

Review of Applications by Examination

There were no applications for review by examination for August.

Ratify and Review of Applications for Reactivation

Ms. Schmitt made a motion, seconded by Mr. Schneider, to approve the following reactivation application as noted below. By unanimous vote, the motion carried.

Oliver Santiago (PT)

Final Denial

Mr. Schneider made a motion, seconded by Ms. Schmitt, to formally deny the applications from Rakhi Save (PT) by examination and Preetha Nallathambi (PT) by examination, as applicants had not requested a hearing before the Board based upon the proposed denial at the June 25, 2013 meeting.

Mr. Schneider made a motion, seconded by Ms. Schmitt, to formally deny the application from Susmita Koppella (PT) by examination, as applicant had not requested a hearing before the Board based upon on the proposed denial at the July 23, 2013 meeting. By unanimous vote, the motion carried.

Status of Complaints

There was one complaint for August that was closed by the investigator.

Review of Continuing Education Courses

Mr. Sullivan made a motion, seconded by Mr. Schneider, to approve the below continuing education courses as noted below. By unanimous vote, the motion carried.

ATI – Continuing Education Series – Delaware Conference –
September 7, 2013 – .55 CEUs

Ciao Seminars – Neuroanatomy and Electrophysiology: Foundations of Functional Electrical Stimulation & Bioness Technologies - .2 CEUs
Clinical and Business Benefits of Mechanical Traction - .1 CEU
Bayada Home Health Care – Current Concepts in Home Health Rehabilitation – October 19, 2013 - .6 CEUs
Medical Minds in Motion – Therapeutic Exercise for the Aging Adult – October 5 – October 20, 2013 - .7 CEUs
Thomas Jefferson University and the Great Philadelphia Pain Society – The Evaluation of the Lumbar Spine/Pelvis and Upper Extremity – October 5 – 6, 2013 – 1.1 CEUs
University of the Sciences - Shoulder Dysfunction Post-Breast Cancer – October 3, 2013 - .25 CEUs
High Velocity Low Amplitude Mobilization of the Lumbar Spine & Pelvis – September 28, 2013 - .7 CEUs
Assessment and Treatment of the Child with Autism Spectrum Disorder – September 28, 2013 - .35 CEUs

Mr. Sullivan made a motion, seconded by Mr. Schneider, to deny the following continuing education application. The course is not related to the practice of physical therapy or athletic training. By unanimous vote, the motion carried.

Law Offices Doroshaw, Pasquale, Krawitz & Bhaya – Workers' Compensation – How to Get Your Bills Paid – October 15, 2013 (NCC), November 7, 2013 (Kent) and November 20, 2013 (Sussex) - .2 CEUs

Mr. Sullivan made a motion, seconded by Ms. Schmitt, to approve the following continuing education as noted. By unanimous vote, the motion carried.

High Intensity Locomotor Training: Theory & Application in Neurologic Injury – September 28, 2013 - .225 CEUs

Review and Discussion: Letter from Lisa Derrick

Ms. Wagner read to the Board the letter submitted by Ms. Derrick. Ms. Derrick asked the Board for permission to withdraw her application as she found a job in another State. Ms. Schmitt made a motion, seconded by Mr. Luff, to grant permission for Ms. Derrick's application to be withdrawn. By unanimous vote, the motion carried.

OTHER BUSINESS BEFORE THE BOARD

Ms. Schmitt asked Ms. Wagner about the FSBPT reports that Ms. Wagner was going to look into. Ms. Wagner stated that she made contact with FSBPT and will be working with FSBPT to update the reports with current information about DE. Ms. Wagner will give periodic updates as to the progress of getting the reports completed.

PUBLIC COMMENT

There was no public comment.

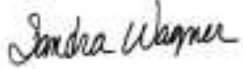
NEXT SCHEDULED MEETING

The next meeting will be held on Tuesday, September 24, 2013 at 5:00 p.m. in the second floor Conference Room A, of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business, Mr. Schneider made a motion, seconded by Ms. Shabazz, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 6:15 p.m.

Respectfully submitted,



Sandra Wagner
Administrative Specialist III

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.

HEARING MINUTES

HEARING – James Barker

The Delaware Examining Board of Physical Therapists and Athletic Trainers held a hearing on August 27, 2013, at 5:00 p.m. in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Laura Schmitt, Waheedah Shabazz, Julie Knowles, Jeff Schneider, Damien McGovern, Tyler Luff

RECUSED: Samuel Sullivan

PURPOSE: Propose to Deny Hearing

PRESIDING: Julie Knowles, Presiding Vice Chairperson

BOARD STAFF: Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Eileen Kelly, DAG

APPLICANT: James Barker

COURT REPORTER PRESENT: Lorena Hartnett, Wilcox and Fetzer

TIME STARTED: 5:17 p.m.

The court reporter took verbatim testimony. The Board members introduced themselves. Ms. Kelly described the reason for the hearing and confirmed Mr. James Barker was present for his continued hearing. Ms. Kelly entered documents as Board's exhibits 1, which was Mr. Barker's continued hearing notice. Mr. James Barker was sworn in and gave his testimony to the Board. Mr. Barker entered documents as Applicant exhibit 1 which was 3 letters from individuals testifying to his character. The Board started deliberations at 5:28 p.m. Mr. McGovern made a motion, seconded by Mr. Luff, to grant Mr. Barker licensure by reciprocity for PTA with a strong recommendation to have Mr. Barker attend the VTO (Voluntary Treatment Option) or Counseling of some sort.

By unanimous vote, the motion carried. The hearing concluded at 5:48 p.m.